

A message was received from the House, informing the Senate that the House had passed the following bills :

A bill authorizing and requiring the Commissioner of the General Landoffice to issue a patent to the assignee of James O. Rice, for lot No. 4, in block 98, in the city of Austin ;

A bill to incorporate New Danville Masonic Female Academy ;

A bill to amend the fifth section of an act to regulate ferries, approved Jan. 23, 1853 ;

A bill to incorporate the Linden Male and Female Academy and Masonic Hall ;

A bill to incorporate Jackson Division, No. 9, Sons of Temperance ;

A bill authorizing two copies of the seal of the Supreme Court to be made for the use of said Court ;

A bill to incorporate Indian Creek Academy ; and

A bill to incorporate the Mound Prairie Institute.

On motion of Mr. Durst, the Senate adjourned until to-morrow morning 9 o'clock.

TUESDAY, Dec. 6, 1853.

The Senate was called to order pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Lott presented the petition of sundry citizens of Smith county, asking for the privilege of voting against the sale of ardent spirits in said county ; referred to the committee on State Affairs.

Mr. Wren presented the petition of the heirs of George W. Jewett, deceased, asking for relief ; referred to the committee on Public Debt.

Mr. Keenan presented the petition of Anthony W. O'Connell, asking for relief ; referred to the committee on the Penitentiary.

Mr. Potter presented the petition of the Directors of the Galveston Bay and Brazos Navigation Company, praying for such assistance, by way of appropriation, as the Legislature may see proper to render ; referred to the committee on Internal Improvements.

Mr. Millican presented the petition of sundry citizens of the counties of Brazos and Robertson, asking for an appropriation for the endowment of the Texas Orphan Asylum ; referred to the committee on Education.

Mr. Potter, chairman of the committee on the Judiciary, to

whom was referred a bill to amend the 31st and 64th sections of an act to organize justice's courts, and to define the powers and jurisdiction of the same, approved March 20, 1848, reported the same back to the Senate and recommended its passage.

Mr. Guinn, from the committee on Engrossed Bills, reported the following bill correctly engrossed :

A bill supplementary to an act to establish the Galveston, Houston and Henderson Railroad Company.

Mr. Holland, chairman of the committee on Education, to whom was referred a bill to incorporate the Aranama College, reported the same back to the Senate, and recommended its passage.

Mr. Millican introduced a bill for the relief of Andrew McMahan ; read first time.

ORDERS OF THE DAY.

A bill for the relief of James H. Tom ; read third time and passed.

A bill to provide for the cancellation of patents in certain cases ; read third time and passed.

A bill to establish a system of common schools ; read third time.

Mr. Hill offered the following amendment, to come in at the end of the 9th section :

Provided, That each and every district shall be entitled to select and locate, in the manner herein provided, as many school-houses as may be deemed necessary to enable every pupil to obtain the benefit of this act ; adopted.

The bill then passed by the following vote :

YEAS—Messrs. Allen, Bryan, Doane, Durst, Edwards, Gage, Guinn, Hill, Holland, Keenan, Kyle, Lott, Lytle, Martin, Millican, Newman, Paschal, Pedigo, Potter, Scarborough, Scott, Sublett, Superviele, Taylor, Weatherford, Whitaker and Wren—27.

NAYS—Messrs. Armstrong, Burks and McAnelly—3.

A bill supplementary to an act to establish the Galveston, Houston and Henderson Railroad Company ; read third time and passed by the following vote :

YEAS—Messrs. Allen, Armstrong, Bryan, Burks, Durst, Edwards, Gage, Guinn, Hill, Holland, Keenan, Kyle, Lott, Lytle, Martin, McAnelly, Millican, Newman, Paschal, Pedigo, Potter, Scarborough, Scott, Superviele, Weatherford, Whitaker and Wren—27.

NAY—Mr. Taylor.

A bill authorizing the patenting of James B. Cook's headright

claim; read second time, and, on motion of Mr. Scott, referred to the committee on Public Lands.

A bill fixing the rate of patent fees; read second time, and, on motion of Mr. Hill, referred to the committee on the Landoffice.

A bill to authorize and require the Commissioner of the General Landoffice to issue a patent to Mr. Kennedy; read second time, and, on motion of Mr. Allen, referred to the committee on Private Land Claims.

A bill to dispose by entry, sale, survey and patent of small tracts or fractions of the public domain, consisting of not exceeding one hundred and sixty acres each, confined on all, or at least two sides by pre-existing lines of other surveys or grants; read.

On motion of Mr. Newman, amended by striking out "25 cents" and inserting "50 cents."

On motion of Mr. Edwards, the bill was laid on the table.

A bill to re-organize the Grayson, Cooke and Denton county land districts; read second time, and ordered to be engrossed.

On motion of Mr. Kyle, the following resolution was laid on the table:

Resolved, That the Senate will refuse to grant relief to land claimants, holding claims against the late Republic of Texas, or State of Texas, who having neglected or refused to avail themselves of the benefits of laws passed under which they could have proved up or established their claims.

Joint resolution rescinding the contract subscribing for newspapers, with the report of the committee on Printing and Contingent Expenses, recommending that said joint resolution lie on the table; read.

Mr. Holland moved to lay said report on the table; lost by the following vote:

YEAS—Messrs. Armstrong, Gage, Guinn, Holland, Scott, Taylor and Wren—7.

NAYS—Messrs. Bryan, Burks, Doane, Durst, Edwards, Hart, Keenan, Kyle, Lott, Martin, McAnelly, Millican, Newman, Paschal, Pedigo, Potter, Scarborough, Sublett, Superviele, Weatherford and Whitaker—21.

Report of the committee was adopted.

A bill confirming certain headright grants of land lying on the boundary line of Robertson's colony and Austin's Little Colony, with the report of the committee on Public Lands, recommending a substitute therefor; read, report adopted, and bill ordered to be engrossed.

A bill to repeal the second section of an act providing for the payment of grand and petit jurors, of date February, 1850; read

second time, and, on motion of Mr. Martin, referred to the committee on the Judiciary.

A bill for the relief of Larkin Adamson ; read.

On motion of Mr. Allen, the 1st section was amended, by inserting "of the" before "General," in 2d line, and striking out "of the" after "General" in said line.

On motion of Mr. Potter, the caption was amended by striking out "Larkin Adamson," and inserting "George Taylor or his assignee."

The bill then passed to a third reading.

Mr. Allen moved to suspend the rule requiring bills to be read on three several days ; lost.

A bill to amend an act to regulate proceedings in the district courts, with the report of the committee on the Judiciary, recommending its rejection ; read, and, on motion of Mr. Armstrong, bill and report laid on the table.

A bill to amend an act to regulate proceedings in the district courts ; read, and, on motion of Mr. Gage, laid on the table.

A bill for the relief of Joab B. Harrell, sheriff of Williamson county ; read, and, on motion of Mr. Scott, referred to the committee on the Judiciary.

A bill to provide for the construction of the Pacific Railroad, being the special order of the day, was taken up.

On motion of Mr. Scott, a committee of three was raised to wait upon Senators Jowers and McDade, to take their votes upon any question on the bill pending.

Messrs. Scott, Keenan and Hill were appointed said committee.

Mr. Hill moved to postpone the bill until Thursday the 8th inst., at 10 o'clock ; lost by the following vote :

YEAS—Messrs. Bryan, Durst, Hill, Keenan, Lytle, McAnnelly, Millican, Pedigo, Potter, Scarborough, Sublett, and Wren—12.

NAYS—Messrs. Allen, Armstrong, Burks, Doane, Edwards, Gage, Guinn, Hart, Holland, Kyle, Lott, Martin, Newman, Paschal, Scott, Superviele, Weatherford and Whitaker—18.

Mr. Potter's amendments offered on yesterday were rejected by the following vote :

YEAS—Messrs. Bryan, Durst, Hill, Keenan, Lytle, McAnnelly, Pedigo, Potter and Scarborough—9.

NAYS—Messrs. Allen, Armstrong, Burks, Doane, Edwards, Gage, Guinn, Hart, Holland, Kyle, Lott, Martin, Millican, Newman, Paschal, Scott, Sublett, Superviele, Taylor Weatherford, Whitaker and Wren—22.

Mr. Keenan offered the following amendment :

Thirteenth section, ninth line, strike out the proviso, and in-

sert "further provided, said road shall not cross the Trinity river north of the latitude of Corsicana, in Navarro county;" rejected.

On motion of Mr. Paschal, the 2d section was amended by striking out in the third line the words, "so long as they shall remain the property of the State;" and inserting in the 5th line, after the words "public land," "so long as they shall remain the property."

Mr. Scott offered the following amendment:

Strike out of the first section, second and third line, the following words: "not north of the town of Fulton, in the State of Arkansas," and insert the words "at or as near as practicable on the degree of north latitude thirty-two degrees and thirty-two minutes."

Mr. Burks offered the following amendment as a substitute to Mr. Scott's amendment:

In 2d line, strike out all after the word "from" to the word "to" in third line, and insert in place, the words, "or near a point on the east boundary line of the State of Texas, on a line between the town of Fulton in Arkansas, and the town of Boston in Texas; rejected.

The question recurring upon Mr. Scott's amendment, it was rejected.

Mr. Potter offered the following amendment:

In section 8, line 4, after the word "property," strike out the remainder of the section, and insert the following: "and the Governor, immediately after said contract shall have been entered into, shall advertise by publishing thirty days in some newspaper published in the city of Austin, that books for the subscription of stock in said company shall be opened in said city of Austin, at the office of the Comptroller, on the first Monday succeeding the expiration of said thirty days: and on said first Monday the Governor shall cause books of subscription for the stock of said company to be opened at the office of the Comptroller in said city, for the purpose of receiving subscription of stock from the citizens of Texas only, and such books shall be kept open for said purpose for the space of thirty days; and it shall be the duty of the Governor to cause transcripts of such subscription of stock to be made out and deposited in the archives of the State Department, and the remainder of the stock, not so taken by the citizens of Texas, within the said thirty days, may be subscribed for in such manner, and at such times and places as may be prescribed within the by-laws of said company; and all of the stock of the company shall be issued and transferred in such manner as

may be prescribed in the by-laws; and in the enactment of by-laws, and the transaction of the business of the company, each share shall be entitled to one vote, and stockholders may vote by proxy."

Mr. Guinn offered the following amendment to Mr. Potter's amendment:

Provided, That no person shall subscribe for more stock than one-fourth of the amount of his taxable property, as rendered and shown from the Assessor's books now in the Comptroller's office; rejected.

Mr. Paschal offered the following amendment to Mr. Potter's amendment:

Provided, That any person subscribing to the capital stock of said company, under the provisions of this section, shall pay at the time of such subscription five per cent. of the amount subscribed; adopted.

The question then recurring upon Mr. Potter's amendment, it was rejected by the following vote:

YEAS—Messrs. Bryan, Doane, Durst, Hill, Keenan, Lytle, McAnelly, Millican, Pedigo, Potter, Scarborough, Sublett, Taylor, Whitaker and Wren—15.

NAYS—Messrs. Allen, Burks, Edwards, Gage, Guinn, Hart, Holland, Kyle, Lott, Martin, Newman, Paschal, Scott, Superviele and Weatherford—15.

Mr. Holland offered the following amendment:

Strike out in 1st section, 2d and 3d line, "Not north of the town of Fulton in the State of Arkansas," and insert "running on the 32d deg. of north latitude, from east to west, or as near that line as practicable;" rejected.

Mr. Taylor offered the following amendment:

Provided, That said company shall not be allowed to use any timber which may be upon the alternate sections reserved to the State, except upon the three hundred feet granted as the right of way.

Mr. Scott moved to amend said amendment by adding, "after the completion of the road;" adopted.

The amendment, as amended, was then adopted.

The bill was then ordered to be engrossed by the following vote:

YEAS—Messrs. Allen, Armstrong, Bryan, Burks, Doane, Durst, Edwards, Gage, Guinn, Hart, Holland, Keenan, Kyle, Lott, Martin, Newman, Paschal, Pedigo, Scarborough, Scott, Sublett, Superviele, Taylor, Weatherford and Whitaker—26.

NAYS—Messrs. Hill, Lytle, McAnelly, Millican, Potter and Wren—6.

Mr. Bryan offered the following resolution :

Resolved, That the committee on Internal Improvements be instructed and required to report to the Senate, on to-morrow morning, a bill granting sixteen sections of land of the alternate sections on the Pacific Railroad to two railroads, one extending from Galveston Bay, the other extending from Matagorda or Lavaca Bay, to intersect the Pacific Railroad.

Mr. Scott moved to strike out "to-morrow morning," and insert "as early as convenient."

Mr. Gage moved to lay the resolution and amendment on the table; lost.

Mr. Scott's amendment was then adopted by the following

YEAS—Messrs. Allen, Armstrong, Burks, Doane, Durst, Edwards, Gage, Guinn, Keenan, Kyle, Lott, Martin, Millican, Newman, Paschal, Pedigo, Scott, Superviele, Taylor, Weatherford and Whitaker—21.

NAYS—Messrs. Bryan, Hill, Lytle, McAnelly, Potter, Scarborough, Sublett and Wren—8.

Mr. Kyle offered the following amendment to Mr. Bryan's resolution :

"And that all other railroads be entitled to like donations and like privileges of connection;" adopted.

Mr. Scott moved to strike out "alternate sections on the Pacific Railroad;" carried.

Mr. Bryan's resolution was then adopted.

On motion of Mr. Guinn, the Senate adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY, December 7, 1853.

The Senate was called to order pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

On motion of Mr. Hill, Mr. McDade was excused from attendance on account of indisposition.

Mr. Bryan presented the petition of Joseph P. Pritchard, asking relief; referred to the committee on Public Debt.

Mr. Scott, from the committee on Counties and County Boundaries, to whom was referred a bill requiring the counties of Wood, Van Zandt and Kaufman to pay a part of the old debt of Henderson county, reported back to the Senate that the commit-